

Docket No. RUS 3.3-003

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Legal Staff
International Division

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Richard T. TIMMER, et al.

Group Art Unit:

Application No.: **10/528,724**

Examiner: To Be Assigned

Filed: **March 22, 2005**

For: **METHODS AND COMPOSITIONS FOR
NOVEL TRIAZINE COMPOUNDS**

Attention: Office of PCT Legal Administration
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

TRANSMITTAL LETTER

In response to the Decision On Petition To Change Inventor's Name (37 CFR 1.182) that was mailed on October 11, 2006, applicants hereby transmit the following:

- Petition for Reconsideration Under Rule 1.182;
- Affidavit of Sesha Sridevi Alluri;
- Petition for Extension of Time;
- Certificate of Mailing;
- copy of the Decision;
- return postcard.

PETITION FOR EXTENSION OF TIME:

It is hereby requested that the following extension of time and fee be applied for this Response pursuant to 37 C.F.R. 1.136(a):

Large Entity:

- \$120 fee for response within first month;
 \$450 fee for response within second month;
 \$1,020 fee for response within third month;
 \$1,590 fee for response within fourth month;
 \$2,160 fee for response within fifth month.

Please charge the above-indicated extension fee to **Deposit Account No. 50-3221**. A duplicate copy of this transmittal letter is enclosed.

The Commissioner is authorized to charge payment of any additional extension or other fee under 37 CFR 1.16 or 1.17 which may be required by this paper or credit any overpayment of same to **Deposit Account No. 50-3221**.

Kindly contact the undersigned if there are further issues to be resolved for completion of the filing requirements.

Respectfully submitted,

Dated: December 14, 2006


Milagros A. Cepeda
Attorney for Applicants
Reg. No. 33,365

Dr. Reddy's Laboratories, Inc.
200 Somerset Corporate Blvd., Seventh Floor
Bridgewater, New Jersey 08807-2862
Telephone 908-203-6505
Facsimile 908-203-6515

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

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Application No.: **10/528,724**

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Petition for Reconsideration Under Rule 1.182

We are in receipt of the Decision On Petition To Change Inventor's Name (37 CFR 1.182) that was mailed on October 11, 2006, a response to which was due by December 11, 2006 (attached). Applicants request a one-month extension of time for response. A separate petition for the one-month extension of time is enclosed herewith.

The Decision advises that applicants did not satisfy the requirements for a grantable petition to correct the name of record for an inventor. Applicant responds below.

Please be advised that inventor Sesha Bhatlapenumarthy Sridevi was not married at the time the PCT Request was filed (PCT Application No. PCT/US2003/009356, filed March 26, 2003), and the PCT application was published.

After her marriage her name changed to Sesha Sridevi Alluri.

Applicants are herewith submitting an executed Affidavit of Sesha Sridevi Alluri, which sets forth both her current and previous names and the procedure whereby her name was changed (marriage).

By this submission, applicants believe they have fulfilled the requirements set forth in the October 11, 2006 Decision.

We re-petition the U. S. Patent & Trademark office to accept the name change of this inventor. Applicants have previously paid the required \$400 petition fee.

Respectfully Submitted,


Milagros A. Cepeda,
Attorney for Applicants
Reg. No. 33,365

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200 Somerset Corporate Boulevard , 7th Fl.
Bridgewater, New Jersey 08807
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Richard T. TIMMER, et al.

Application No.: 10/528,724

Group Art Unit:

Examiner: W. M. Alvarado

Filed: March 22, 2005

For: METHODS AND COMPOSITIONS FOR
NOVEL TRIAZINE COMPOUNDS

Office of Petitions
P.O. Box 1450
Alexandria, Virginia 22313-1450

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International Division

AFFIDAVIT OF SESHA SRIDEVI ALLURI

SESHA SRIDEVI ALLURI, of full age, being duly sworn, upon her oath deposes and says:

1. I am one of the named inventors of the subject matter in the above-identified patent application.
2. From 05/21/2001 through 10/10/2003, I was employed by Reddy US Therapeutics, Inc., assignee of the above-identified application.
3. At the time of filing of the corresponding PCT application in the above-identified application my name was Sesha Bhatlapenumarthy Sridevi.
4. I was married on 11/02/2003. At that time, my name was changed from Sesha Bhatlapenumarthy Sridevi to my current name of Sesha Sridevi Alluri.

5. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

Executed this <u>28</u> day of <u>October</u> , 2006.  Seshia Sridevi Alluri	Subscribed and sworn to before me this <u>28</u> day of <u>October</u> , 2006 at <u>SO. PLAZA NJ</u> .  Rita R. Doell (Printed name) RITA R. DOELL Notary Public Notary Public of New Jersey MY COMMISSION EXPIRES DEC. 12, 2006 (Seal) Commission expires: _____
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application No.: 10/528,724

Filing Date: March 22, 2005

First Inventor: Richard T. TIMMER

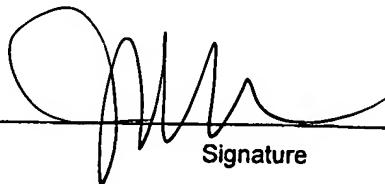
Art Unit: To be assigned

RECEIVED
19 DEC 2006Legal Staff
International Division**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on December 15, 2006
Date



Signature

Joan Anisiewski

Typed or printed name of person signing Certificate

(908) 203-4953

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper. Documents enclosed:

Transmittal Letter w/ Petition for Extension of Time and Fee Transmittal - 2 pgs. (in dupl.)

Petition for Reconsideration Under Rule 1.182 (2 pgs.)

Affidavit of Sesha Sridevi Alluri (2 pgs.)

Copy of Decision On Petition To Change Inventor's Name (37 CFR 1.182) (2 pgs.)

Return Post Card

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. BOX 1450
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11 OCT 2006

Robert A Franks
Dr Reddy's Laboratories Inc
200 Somerset Corporate Blvd
Seventh Floor
Bridgewater NJ 08807-2826

In re Application of:
Timmer, Richard, T., et al.
U.S. Application No.: 10/528,724
PCT No.: PCT/US2003/009356
International Filing Date: 26 March 2003
Claimed Priority Date: 23 September 2002
Attorney's Docket No.: RUS 3.3-003
For: METHODS AND COMPOSITIONS OF
NOVEL TRIAZINE COMPOUNDS

PATENT PROSECUTION DIVISION

REF ID: 611

OCT 13 2006

DATE ENTERED: 10/16/06
PA: SGL
ATTY: MAC 11/4/06
DECISION ON PETITION TO
CHANGE INVENTOR'S NAME
(37 CFR 1.182)

2 Mo. Due date: 12/11/2006
Final - 4/11/2007

This decision is issued in response to the "Petition Under 37 CFR 1.182" filed by applicants on 06 September 2006. Applicants have paid the required \$400 petition fee.

BACKGROUND

On 26 March 2003, applicants filed international application PCT/US2003/009356. The application claimed a priority date of 23 September 2002, and it designated the United States. The deadline for submission of the basic national fee was thirty months from the priority date, i.e., 23 March 2005.

On 22 March 2005, applicants filed a Transmittal Letter for entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee.

On 24 January 2006, the United States Designated/Elected Office (DO/EO/US) mailed a Notification Of Missing Requirements (Form (PCT/DO/EO/905) requiring submission of an oath or declaration in compliance with 37 CFR 1.497 and the surcharge for filing the oath or declaration later than thirty months after the priority date.

On 12 May 2006, applicants filed a response to the Notification Of Missing Requirements (with required extension fee) that included an executed declaration and the required surcharge payment.

On 09 August 2006, the DO/EO/US mailed a Notification Of Defective Response (Form PCT/DO/EO/916) indicating that the declaration filed 12 May 2006 was defective because the name for the inventor identified on the declaration as Sesha Srivedi ALLURI did not correspond to this inventor's name on the published international application.

On 06 September 2006, applicants filed the petition considered herein. The petition asserts that the correct name for the inventor at issue is Sesha Sridevi ALLURI, as listed in the declaration filed 12 May 2006. The petition states that this inventor's name (listed as SRIVEDI, Bhatlapenumarthy, Sesha on the international application) had been changed after the filing of the international application due to marriage.

DISCUSSION

Section 605.04(c) of the Manual Of Patent Examining Procedure ("MPEP") sets forth the requirements for a petition under 37 CFR 1.182 to correct an inventor's name where, as here, the inventor's name has been changed after the filing of the application. According to the MPEP, such a petition "must include an appropriate petition fee and an affidavit signed by the inventor setting forth both names and the procedure whereby the change of name was effected, or a certified copy of the court order."

Here, applicants' submission included payment of the required petition fee. However, applicants have not submitted an affidavit by Sesha Sridevi ALLURI setting forth both her current and previous names and the procedure whereby her name was changed (i.e., marriage), or a certified copy of a court order confirming such change. Applicants therefore have not satisfied the requirements for a grantable petition to correct the name of record for this inventor.

CONCLUSION

Applicants' petition under 37 CFR 1.182 is **DISMISSED** without prejudice.

The declaration submitted by applicants on 12 May 2006 remains defective for failure to properly identify all the inventors of record.

Any request for reconsideration on the merits must be filed within **TWO (2) MONTHS** from the mail date of this decision. Any such response must include either the required affidavit from the inventor whose name has changed or a certified copy of the court order confirming the name change, as discussed above and in the MPEP.

Failure to file a proper response in a timely manner will result in **ABANDONMENT** of the application. Extensions of time are available under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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